

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED NOV 13 2014 CLERK, U.S. DISTRICT COURT By _____ Deputy

UNITED STATES OF AMERICA

v.

No. 4:14-MJ-463

FRANKLIN BELL (01)

CRIMINAL COMPLAINT

I, the undersigned Complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

On or about November 12, 2014, the defendant, **Franklin Bell**, in the Northern District of Texas, knowingly possessed matter that contains any visual depiction, and which was produced using materials which had been mailed and shipped and transported using any means and facility of interstate and foreign commerce, including by computer, the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction was of such conduct.

Specifically, **Bell** possessed one Fujifilm zip disk containing the following described image files visually depicting a prepubescent minor engaged in sexually explicit conduct and the lascivious exhibition of the genitals and pubic area of said minor, as defined in 18 U.S.C. § 2256:

File name	File description
loli61.jpg	This image depicts a minor female, age 12-14, performing oral sex on an adult male.
mar32084.jpg	This image depicts a prepubescent female, age 7-9, performing oral sex on an adult male.

INTRODUCTION

1. I am a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement (ICE). I have been employed with ICE and its predecessor agency, the Immigration and Naturalization Service (INS), since June 1994.

As part of my duties as an ICE agent, I investigate criminal violations relating to child exploitation and child pornography, including violations pertaining to the illegal production, distribution, receipt and possession of child pornography, in violation of 18 U.S.C. §§ 2252 and 2252A. I have experience conducting criminal investigations concerning internet crimes against children and training in undercover online internet investigations. This affidavit is based upon my personal investigation and on information obtained from other law enforcement officers assisting with this investigation.

PROBABLE CAUSE

2. On November 12, 2014, I received information that establishes probable cause to believe **Franklin Bell** knowingly possessed matter, specifically a Fujifilm zip disk, that contained visual depictions of minors engaged in sexually explicit conduct and that was

produced using materials that had been mailed, transported, and shipped using any means and facility of interstate and foreign commerce in violation of 18 U.S.C. § 2252(a)(4)(B).

3. On November 19, 2013, HSI Oklahoma City (OKC) Special Agents executed a Federal search warrant at a residence in Moore, Oklahoma. The investigation revealed that an Oklahoma target was utilizing email to send and receive images and videos depicting child pornography. On or about January 28, 2014, and February 6, 2014, HSI OKC agents executed a Federal search warrant at Google Inc. for the contents of their target's email account, which was identified as NICE[redacted]@gmail.com.

4. HSI OKC agents reviewed the contents returned from Google and identified several additional email accounts involved in the distribution and receipt of child pornography. One of those accounts was PATCHRISTENSON@hotmail.com.

5. Between November 19th and 20th, 2013, PATCHRISTENSON @hotmail.com sent NICE[redacted]@gmail.com at least 59 files which contained images of child pornography.

6. HSI OKC agents issued an administrative summons to Microsoft Corporation for subscriber information associated with the PATCHRISTENSON@hotmail.com account. On February 11, 2014, Microsoft responded with subscriber information and IP logs (logged instances of access to that particular email account, including times, dates, and IP addresses).

7. Microsoft also provided two IP addresses, 99.61.128.113 and 99.61.130.147, which were utilized by PATCHRISTENSON@hotmail.com. HSI OKC agents determined that the IP addresses originated in the Dallas/Ft. Worth area, with AT&T U-Verse as the Internet Service Provider. These two IP addresses were included in a DHS summons to AT&T U-Verse in which subscriber/billing information was requested.

8. On or about March 26, 2014, AT&T U-Verse responded and provided the following subscriber information:

Account established:	12/14/2009
Account name:	Franklin Bell
Account address:	5004 Boulder Lake Rd., Fort Worth, Texas 76103

9. On May 5, 2014, HSI Dallas obtained a federal search warrant for the Microsoft email account PATCHRISTENSON@hotmail.com. On May 7, 2014, Microsoft Corporation provided preserved email records for the account, ranging from March 26, 2014 through May 5, 2014.

10. I reviewed the email transactions provided by Microsoft and observed several email transactions between PATCHRISTENSON@hotmail.com and ate[redacted]@live.com, in which images of child pornography were traded.

11. On April 21, 2014, PATCHRISTENSON@hotmail.com wrote, "...would like to share a lil boy or girl with someone...suck his cock after he fucks a tight lil pussy, or have a small smooth cock and balls all the way in my mouth..." Included in this transaction were at least 5 images of child pornography.

One of these is described below:

File Name	File Description
33cassie.jpg	This image depicts a prepubescent female, age 8-10, performing oral sex on an adult male.

12. On November 12, 2014, I executed a search warrant at the residence at 5004 Boulder Lake Rd., Fort Worth, Texas 76103. I conducted a consensual interview of Franklin Bell. Bell admitted to using his email account PATCHRISTENSON@hotmail.com to trade images and videos of child pornography. Bell said that he stored images of child pornography on several zip disks.

13. Among items seized from Bell was a Fujifilm zip disk, which was found to contain files of child pornography.

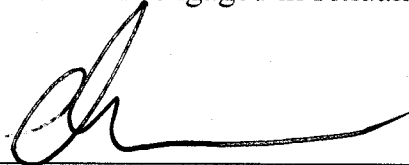
14. I viewed several files found on the zip disk and believe they are visual depictions of real minors engaged in sexually explicit conduct. Two of those images, which involve prepubescent minors, are described as follows:

File name	File description
loli61.jpg	This image depicts a minor female, age 12-14, performing oral sex on an adult male.
mar32084.jpg	This image depicts a prepubescent female, age 7-9, performing oral sex on an adult male.

15. The Fujifilm zip disk was manufactured outside the state of Texas by Fujifilm Corporation with manufacturing facilities in Taiwan, South Carolina and elsewhere. Therefore the Fujifilm zip disk is matter that was mailed, shipped and transported in interstate and foreign commerce.

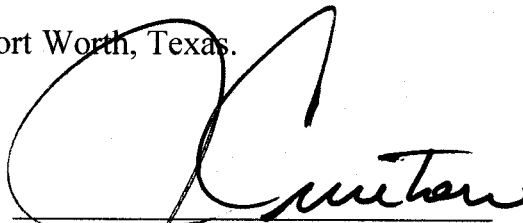
CONCLUSION

16. Based upon the foregoing facts and circumstances, I believe probable cause exists to find that **Franklin Bell** has knowingly committed a violation of 18 U.S.C. § 2252(a)(4)(B), possession of visual depictions of a minor engaged in sexually explicit conduct.



Mike Jester
Special Agent
Department of Homeland Security
Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence this 13th day of
November, 2014, at 1:45 p.m. in Fort Worth, Texas.



JEFFREY L. CURETON
United States Magistrate Judge